

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Stephane Follonier et al.)	Group Art Unit: 1641
)	
Application No.: 10/670,912)	Examiner: David J. Venci
)	
Filed: September 24, 2003)	Confirmation No.: 6522
)	
For: DEVICE, SYSTEM AND METHOD)	
OF DETECTING TARGETS IN A)	
FLUID SAMPLE)	

VIA EFS-WEB

Box AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after a Final Office Action and is accompanied by a fee of \$180.00 as specified under § 1.17(p) and a statement as specified under § 1.97(e).

Each document listed in this Information Disclosure Statement was first cited in the submitted communication from the European Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication. Applicants note that U.S. Patent Nos. 6,020,207, and 5,624,850 on the submitted communication were listed on the Notice of

References Cited attached to the Office Action of September 07, 2007, and of March 17, 2006, respectively.

A copy of the listed non-patent literature document is attached. Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please
charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Date: November 12, 2008

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